



April 9, 2025

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VIA ECF

Honorable Arun Subramanian
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

**Re: Cimar(UK), Ltd. v. Intelrad Medical System, Inc.
Case No. 1:25-cv-02308-AS**

Dear Judge Subramanian:

Our firm has been retained to represent Defendant Intelrad Medical System, Inc. (“Intelrad”) in connection with the above-referenced matter. We write in response to the Order issued by Your Honor yesterday [Dkt. No. 20] scheduling a hearing on Plaintiff’s recently filed motion for a preliminary injunction for next Wednesday, April 16, 2025. Pursuant to Paragraph 3(E) of Your Honor’s Individual Practices in Civil Cases, we respectfully request that the hearing be adjourned to permit the parties to fully brief the motion in accordance with Local Rule 6.1(b), which allows the non-moving party to serve answering papers within fourteen (14) days after service of the motion and the moving party to serve reply papers within seven (7) days after service of the answering papers. Indeed, Plaintiff contemplated this timeframe in its Notice of Motion by setting a return date of April 28, 2025 [Dkt. No. 10].

While Plaintiff is seeking injunctive relief, it is not seeking a temporary restraining order and, as evidenced by its Notice of Motion, has demonstrated a willingness to not have its motion returnable until later this month.

This is Intelrad’s first request for an adjournment and it will not affect any other scheduled dates in this action. An Initial Conference with the Court is scheduled for June 26, 2025. Intelrad seeks only an adjournment of the hearing to the Court’s first available date following full briefing of the motion on April 28, 2025. The undersigned has conferred with Plaintiff’s counsel who acknowledged that the return date was set as contemplated by the Local Rule but advised that Plaintiff does not consent to the adjournment because Plaintiff would like to have the motion resolved as soon as possible. In any event, the additional time requested by Intelrad will also permit the parties to follow the direction of Your Honor’s Order “to meet and confer to determine if the parties can agree to an arrangement that avoids the need for preliminary injunctive relief pending resolution of this case.”

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Accordingly, Intelrad respectfully requests that it be permitted to file its opposition to Plaintiff's motion for a preliminary injunction by April 21, 2025 in accordance with Local Rules and that the hearing presently scheduled for April 16, 2025 be adjourned to the next available Court date following full briefing of the motion. We thank the Court for its consideration.

Respectfully submitted,

Joseph A. Patella

cc: All Counsel of Record

The parties should meet and confer on a briefing schedule on the motion, and an appropriate date for a hearing in April or May. In the meantime, the Court orders lead counsel on both sides, and the principal decisionmaker on each side (the "buck stops here" person, not just an emissary of that person) to meet in person to see if these issues can be resolved. The Court expects that meeting to occur by Friday, April 25, 2025, and a joint report to be submitted by the following Monday. Those same people are required to attend the hearing. The Clerk of Court is directed to terminate the motion at Dkt. 22.

SO ORDERED.

Arun Subramanian, U.S.D.J.

Dated: April 10, 2025